

**CITY OF TEMPE
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 10/27/2020
Agenda Item: 10**

ACTION: Request for code text amendment to the ZONING AND DEVELOPMENT CODE, consisting of modifications to the Home Occupation allowed uses and definitions for Beauty Salons and Barber Shops. The applicant is the City of Tempe.

FISCAL IMPACT: This ordinance change does not directly impact revenue.

RECOMMENDATION: Approve subject to conditions.

BACKGROUND INFORMATION: ZONING AND DEVELOPMENT CODE (PL200216) The current Zoning and Development Code was adopted and implemented in 2005. During 2020, the CoVid pandemic has required many employees to work from home. In some cases, employees were out of work due to business closures; the nature of their service industries could not operate from home. Barber Shops and Beauty Salons were closed due to the close proximity of staff to customers, which resulted in several calls to staff inquiring about working from home to provide hair services to clients. One caller sought to pursue the opportunity to legally work from home, resulting in this request. This request includes the following:

ZOA200003 Code Text Amendment within the Zoning and Development Code, amending Part 3 Chapter 4 Section 3-412 Home Occupation and Part 7 Chapter 1 Section 7-103 - "B" Definitions.

ATTACHMENTS: Ordinance, Project File

STAFF CONTACT(S): Diana Kaminski, Senior Planner (480) 858-2391

Department Director: Chad Weaver, Community Development Director

Legal review by: N/A

Prepared by: Diana Kaminski, Senior Planner

Reviewed by: Suparna Dasgupta, Principal Planner

COMMENTS:

This request is for code text amendments to the Home Occupation section of the Zoning Code to allow Barber Shops and

Beauty Salons as a home business in residential districts. The amendment also includes definitions for these uses.

ZOA200003 Code Text Amendment within the Zoning and Development Code, amending Part 3 Chapter 4 Section 3-412 Home Occupation and Part 7 Chapter 1 Section 7-103 - "B" Definitions.

Staff is requesting the Development Review Commission provide recommendations to City Council for this code text amendment.

SUMMARY EXPLANATION OF CHANGES:

PUBLIC INPUT

- A neighborhood meeting is not required for code text amendments.
- September 2, 2020 the Tempe Neighborhood Advisory Commission reviewed the proposed text amendment for Home Occupations and voted nine to two in support of the code text amendment with recommended changes to the proposed code. Issues raised by the commissioners:
 - Signage (covered by the existing code and limited to one square foot sign at the door)
 - Competition from existing established salons
 - Side entrance for salon (would look like a side door to home)
 - Precedence of this use after Covid (this code change would allow the use by right for any residence)
 - Parking for customers waiting (must be on site, not on street)
 - Number of chairs/customers allowed on site at one time.

The Commission recommended allowing two stylist chairs on site. Minutes from the meeting are included in the attachments.

- Upon completion of this report there have been no calls of inquiry or concern regarding this request.

STAFF ANALYSIS

Barber Shops and Beauty Salons have been traditionally prohibited from home occupation lists in zoning codes. The American Planning Association issued a report in September of 1953 discussing this specific topic. At the time, only four cities identified nation-wide allowed these uses as home occupations and many specifically prohibited the uses. Staff could not find subsequent reports to identify how codes may have changed for this industry. Staff evaluated current zoning codes for twelve municipalities within Arizona, which would fall under the State Cosmetology Board licensing for professionals. Of the cities interviewed, seven prohibit Barber Shops and Beauty Salons from operating as a home business and five have provisions for allowing the uses by right or through a license or use permit process. These five include Buckeye, Flagstaff, Glendale, Mesa and Queen Creek. The majority of cities limit the use to one chair and one client on site at a time, some restricting the total number of customers per day. All cities require parking to be on site, not on street, and the largest concern mentioned was increased traffic within neighborhoods. Some regulate the size of the area allowed for home businesses, and whether they can have outside employees and signage. A chart comparing the cities responses and the zoning codes found on line are provided in the attachments of the report. The largest issue identified by planners in other municipalities was a concern for increased traffic and parking in neighborhoods.

In a mixed-use development (commercial and residential), all uses would be added up and parking provided based on the ratios for each use, with the allowance of shared parking to provide some level of reduction to the required parking. As a home occupation, the resident would be the employee, so this portion of the parking requirement is met with the residential parking. Single-family residential parking varies based on the zoning code at the time the home was built and does not account for the number of bedrooms the way a multi-family property would. For a large number of properties in Tempe, the homes built prior to 1970 have single-car carports or garages. For newer homes, they are required to have two parking spaces, regardless of the number of bedrooms. Typically, a single-family home would have a 2-car drive way that serves for guest parking, and possibly room for one or two vehicles on the street in front of a traditional size lot. For the newer townhome products, there may be a two-car garage, no driveway and no on-street parking. For multi-family developments, there is a parking ratio for each unit based on the number of bedrooms and .2 parking spaces per unit for guests visiting the site. It is assumed that customers would also use these guest spaces on site. A barber or salon chair typically occupies 150 to 200 s.f. which would require one parking space, although both employee and customer occupy this space. In a commercial building, the parking would be based on the total square footage of the shop or salon, calculated at 1 parking space per 300

s.f. and are usually shared with other tenant suites with shared parking for customers, assuming customers visit multiple suites within a shopping center. As a home occupation, this would be a destination requiring drivers to park at the business. For certain neighborhoods, parking on street is in such high demand they have permit parking for residents. In smaller lot areas, the street front may only accommodate one or two vehicles in front of a house, without blocking a driveway or fire hydrant, or parking in front of someone else's home. For certain properties, on street parking is prohibited due to the nature of the street. The current list of twenty home-occupations does not include uses with customers coming to the site, nor are parking studies or use permits required for these uses. The addition of group homes, vacation rentals, and residences with large numbers of drivers has compounded the parking demand in many areas of Tempe. The combination of uses within a neighborhood such as vacation rentals, group homes and home businesses, could limit available on-street parking for residents who have multiple vehicles or guests. These are all considerations that could influence whether the addition of a barber shop or beauty salon would impact a neighborhood.

Compatibility of the proposed use was considered for Barber Shops and Beauty Salons in the context of residential zoning districts.

1. A residence with a single-customer barber or beauty booth and employee who lives on site, would generate traffic similar to a guest visiting a resident in their home and would not generate significant traffic. The Neighborhood Advisory Commission's recommendation to allow a second booth would require parking for more vehicles beyond that of the homeowner and residents. The existing one customer and one vehicle on site regulation would potentially shift parking to on-street. For this reason, and the earlier analysis of parking in neighborhoods, if the Neighborhood Advisory Commission recommendation to allow two chairs for a hair salon is supported, staff would recommend allowing this by Use Permit only, to provide evaluation of the specific business location for available on-site parking and lot size. This would prevent front yards being converted into parking lots and enable conditions to be placed on the use for the protection of nearby neighbors and limit overflow parking from the site.
2. Single-family homes have ventilation systems in bathrooms and kitchens as well as through central air handling systems which vent to the roof or yard. The cosmetology board requires a sink within 6' of the customer chair; all product would be disposed of in the sink. The business of hair and nail services includes chemicals which may produce odor, but the use would be contained within the home. Allowance of a hair salon with an individual customer would not create nuisances exceeding the level of a normal residence and would not affect the surrounding area. Addition of multiple salon chairs could intensify the use and result in a more frequent chemical use that could create emissions noticeable to adjacent residents.
3. Home Occupations can provide numerous benefits for both home-based workers and the community. Home-based businesses provide useful services and encourage business growth by eliminating the initial need for some small businesses to rent commercial space, an important factor to someone who is just starting a new venture. Working at home also saves commuting and childcare costs and may reduce traffic congestion. By creating activity in residential neighborhoods that might otherwise be deserted during the day, home occupations help to reduce crime by providing eyes on the street and an awareness of what is happening in the area. The following land use objectives would be met by allowing barber shops and beauty salons in residential districts.
 - LU2 Promote land use patterns that encourage long-term sustainability by ensuring mixed use developments with a mix of land uses (commercial and residential), sites with existing infrastructure capacity and street connectivity, convenient to neighborhoods.
 - LU3 Seek balance and compatibility of new land use development with established residential neighborhoods by providing needed local services and housing on a neighborhood scale, focusing on balanced and efficient use of the land and supporting community-serving services and facilities within walking distance.
 - LU4 Encourage a balanced community with a diversity of uses and employment opportunities by providing a balanced job/housing ratio.
 - LU9 Promote neighborhood enhancement and livability by ensuring that reinvestment in the community's cultural resource areas is reflective of the character of each area. Support placement of new commercial and commercial

revitalization that enhances vitality and livability at neighborhood and community hubs.

4. Home occupations are contained within the primary residence and should not be visible from the exterior of the home. The home occupation will not result in any structural alterations or additions to a building that will change its primary use or building code occupancy classification. Products, inventory and or equipment produced or used by the home occupation shall not be displayed or visible from outside any building. They must have no offensive noise, vibrations, smoke, dust, odors, heat or glare. On-site storage and use of hazardous materials (including toxic, explosive, noxious, combustible or flammable) beyond those normally incidental to residential use is prohibited. Most home occupations do not have customers coming to the site, and therefore do not rely on signage at their residence for their business. However, specific sign types are allowed in residential districts that would be applicable to home occupations. Signs that are within residential districts are limited for the home occupation to one square foot static non-illuminated building mounted sign (sign type B) with no changeable copy, digital or motorized/moving parts or animation. This would be the same allowance for any home owner, unless further restricted by Home Owner Associations. The home occupation, per the Code, must be conducted in a manner as not to give an outward appearance of a business.
5. Home occupations have not been identified as having behavior issues, on the contrary, having people working from home provides more natural surveillance and activity within an area to enhance security along the street front. The nail or hair service business would be inside the home, and parking would be on site. Barbers and beauticians are licensed and held accountable for inspections and board regulations as professionals. As the primary residence of the employee, the incentive to control behavior is that their home and neighborhood that they live in and work in are impacted by what happens during their business operations. With limitations on one customer on site at a time, it is not anticipated that there would be nuisances from this use.

REASONS FOR APPROVAL:

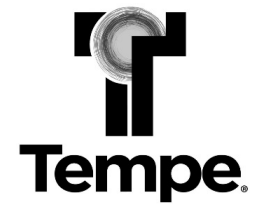
Based on the information and analysis prepared, staff recommends approval of the code text amendment ordinance to allow barber shops and beauty salons to operate under the current home occupation provisions.

HISTORY & FACTS:

January 20, 2005	City Council adopted the Zoning and Development Code, a new Zoning Ordinance 2003.36 and repealing Zoning Ordinance 808, which had been in effect since this date.
September 2, 2020	Tempe Neighborhood Advisory Commission reviewed the proposed text amendment for Home Occupations and made recommended changes to the proposed code.
October 27, 2020	Development Review Commission is scheduled to hear this request to provide a recommendation to Council.
November 12, 2020	City Council is scheduled for an introduction and first public hearing for code text amendment to the ZONING AND DEVELOPMENT CODE, consisting of modifications to the Home Occupation allowed uses and definitions for Beauty Salons and Barber Shops.
December 3, 2020	City Council is scheduled for a second and final public hearing for the above requested code text amendment.

ZONING AND DEVELOPMENT CODE REFERENCE:

6-304 Zoning Map Amendments (including Overlay Districts) and Code Text Amendments



DEVELOPMENT PROJECT FILE
for
HOME OCCUPATION CODE TEXT AMENDMENT
(PL200216)

ATTACHMENTS:

1. APPENDIX N HOME OCCUPATIONS LIST
- 2-5. NEIGHBORHOOD ADVISORY COMMISSION DRAFT MINUTES (SEE AGENDA ITEM #5)
- 6-10. ZONING CODE RESEARCH OF HOME OCCUPATIONS FOR BEAUTY SALON AND BARBER SHOP AS A HOME BUSINESS

APPENDIX N. HOME OCCUPATIONS

Below is a list of common permitted home occupations found in the City of Tempe. The home occupation uses identified below does not indicate that such use is allowed by right. All uses must comply with the special standards or limitations per Section 3-412.

1. Administrative assistance
2. Arts and crafts
3. Bakery
4. Barber Shop
5. Beauty Salon
6. Candle-maker
7. Catering
8. Computer repair
9. Dog training (off-site)
10. General services (off-site)
11. Graphic design
12. Handyman
13. Interior design
14. Internet sales
15. Locksmith service
16. Mail order
17. Office work
18. Photographer
19. Real estate (off-site)
20. Security alarms
21. Software consulting
22. Video production

DRAFT Minutes
Neighborhood Advisory Commission
September 2, 2020



Minutes of the Neighborhood Advisory Commission (NAC) held on Wednesday, September 2, 2020, Virtual Meeting #4 using Microsoft Teams Platform

(MEMBERS) Present: Hannah Moulton Belec, Maureen Eastty (via phone), Diane Harden, Jana Lynn Granillo, Stephanie Greenfield, Barb Harris, Kiyomi Kurooka, Melanie Larimer, Michael McLendon, Daniel Schugurensky and Zoe Stein.

(MEMBERS) Absent: Christopher McCabe, Richelle Miller

City Staff Present: Aaron Peterson, Tempe Learning Center, aaron_peterson@tempe.gov; Elizabeth Thomas, Neighborhood Services Specialist; Shauna Warner, Neighborhood Services Manager; Chad Weaver, Community Development Director, chad_weaver@tempe.gov

Guests Present: Anne Till, Chair of Alameda Meadows Neighborhood Association, Nando Garcia, Tempe resident

Agenda Item 1 – Call to Order

The meeting was called to order at 5:32 p.m. by Chair Belec

Agenda Item 2 – Attendance Roll Call

Present: Hannah Moulton Belec, Diane Harden, Jana Lynn Granillo, Stephanie Greenfield, Barb Harris, Kiyomi Kurooka, Melanie Larimer, Michael McLendon, Daniel Schugurensky and Zoe Stein

Absent: Maureen Eastty (missed roll call vote), Christopher McCabe, Richelle Miller

Agenda Item 3 – Public Comment

Anne Till, Chair of Alameda Meadows Neighborhood Association located near Selleh Park, zip code 85282 addressed two topics during her allotted three minutes. She first suggested a Getting Arizona Involved in Neighborhoods (G.A.I.N.) night theme, Tempe GAINs by Giving, to encourage donations for those impacted by homelessness and Covid-19 related issues such as job loss and illness. During this year's GAIN night timeframe, collection points could be established at parks (or traditional GAIN venues) for area residents to drop-off items. In advance of GAIN events, a list of needed items and organizations could be provided to residents. Following events, neighborhood organizers could possibly drop off items somewhere for distribution or assist with future event to distribute.

Ms. Till's second concern was regarding many neighborhoods seeing increasing traffic issues for the past several years. Some have successfully used Maryanne Corder Neighborhood Grants to install speed bumps and traffic circles as well as trees for shade, cooling and walkability. Tempe is currently working on implementation of the Climate Action Plan and Low Impact Development (LID) features traffic control improvements which also incorporate storm water harvesting, trees, plants, safety, beauty, and mobility (walking/biking) elements. Ms. Till proposed creation of a new

grant program specific to Low Impact Development and climate improving activities in neighborhoods (and completely separate from the neighborhood grant program). She volunteered to be a leader to work with the city and neighborhoods to define and establish a resident volunteerism and stewardship program and to seek out non-profits who might be interested in participating. She referenced Tucson's Clean and Beautiful non-profit program as a good model and starting point. Founded in the 1980's as a result of the Keep America Beautiful campaign, their original function was to keep the city clean of trash. They later started beautifying empty space by creating pocket parks with plantings and harnessed a lot of community help and support.

Agenda Item 4 – Consideration of Minutes: August 5, 2020

Commissioner Granillo requested that her suggestion to consider adding Urban Forestry as a separate Maryanne Corder Neighborhood Grant category be added to the August 5 meeting minutes.

Motion: Commissioner McLendon made a motion to approve the August 5, 2020 minutes with the one noted correction.

Second: Commissioner Larimer

Result: *The motion passed with a unanimous vote of 10-0 reflecting all present during that time of the meeting.*

Commission Member Ayes: Hannah Moulton Belec, Diane Harden, Jana Lynn Granillo, Stephanie Greenfield, Barb Harris, Kiyomi Kurooka, Melanie Larimer, Michael McLendon, Daniel Schugurensky and Zoe Stein

Absent: Maureen Eastty (missed minutes vote), Christopher McCabe, Richelle Miller

Agenda Item 5 – Review and discussion of Home Occupations, Section 3-412 of the Tempe Zoning and Development Code (CDC)

Chad Weaver, Community Development Director, briefly described Section 3-142 of the Tempe Zoning and Development Code (ZDC) which provides rules governing home occupations within Tempe. These rules are intended to minimize impacts to neighbors and the neighborhood while providing some opportunity to run a business from home.

The Covid pandemic has changed how and where people work. A sizable number of office workers have been working from home during this time and there has been inquiries and interest regarding other types of work being done as a home occupation. The Community Development Department received one request specific to allowing a hair salon as a home occupation, this use is currently expressly prohibited. Staff thought it reasonable to pursue a more general conversation about home occupations and hair salons in particular, to help determine if there was cause to initiate the change, or other changes more broadly.

Chad introduced Nando Garcia to share his case details and added that should the Commission find the proposal acceptable, the results would extend beyond this one applicant and a code change would be required to be sent to the Development Review Commission and on to City Council for a final decision. Mr. Garcia described the closure of his Phoenix salon, ongoing lease obligations, desire to creatively work from home and need to generate revenue to make himself whole. He emphasized that he will minimize any impacts on his neighbors and will follow all State Licensing regulations. He added that many hair stylists are doing this on the down low and hair salons are

allowed in some areas of Phoenix but he wants to go about it in the right way from his Tempe home. His home already has a separate entry, he plans to place fencing to guide customers to that entry.

Commission members shared the following questions and comments for Mr. Garcia and Chad Weaver:

What about signage? The packet link went to a chart that was hard to read and understand.

A: Any signage would be discreet with this being a neighborhood, likely just a sign on the entry door.

Are other cities doing this?

A: Yes, other cities do allow it such as Maricopa County and Mesa. Every city has home occupation language in their code.

Will you be keeping the name of your Phoenix salon?

A: The salon will have a different name but the website will remain the same. An application has already been submitted to Arizona State Board of Cosmetology.

Is the ask to update entire ordinance section or just focus on home salons?

A: Expecting a holistic look at Home Occupations ordinance, broader than this one request. Any proposed changes will need to go to Development Review Commission and on to City Council.

What if established salons complain about competition?

A: Don't see that as an issue - there is a lot of bad hair out there.

Is part of this proposal to include a side or separate entry?

A: It's a requirement of the Board of Cosmetology along with a salon chair and sink. (Mr. Nando noted that fortunately his home already has a side entry.)

I'm concerned about the integrity of the neighborhood and the precedent this would set. Any sunset clause after Covid?

A: I understand. I am open to suggestions. I need to make a living but am willing to make changes and adapt. I'm open to a one-year trial basis. You can come talk with my neighbors.

To clarify, are you still expecting/planning for one client at a time?

A: Sometimes clients require longer, particularly for color treatments and processing, so you could have one customer arrive while still working on another customer. Two customers at a time during regular, daytime business hours.

If two clients are permitted per stylist and the code allows for one employee, there could be two stylists each with two clients for a total of four customers at a time?

A: I would keep my vehicles in the enclosed garage, there would be room for two cars in the driveway and two on the street. I would be mindful and considerate of my neighbors.

There was additional discussion amongst members regarding if a timeframe for allowing this home occupation should be proposed and the suggestion was made for an additional opportunity to review this request. Commissioner Larimer noted the investment required to create a home salon and the urgency of this request, emphasizing Mr. Garcia is seeking help now.

Motion: Commissioner Larimer made a motion to accept the proposed change to the ordinance allowing hair salons as a home occupation and to increase the limit from one to two customers at a time.

Second: Commissioner Stein

Result: *The motion passed with a vote of 9-2*

Commission Member Ayes: Hannah Moulton Belec, Maureen Eastty, Stephanie Greenfield, Barb Harris, Matt Heil, Kiyomi Kurooka, Melanie Larimer, Daniel Schugurensky and Zoe Stein

Commission Member No: Jana Lynn Granillo, Diane Harden

Abstain: Michael McLendon

Absent: Christopher McCabe, Richelle Miller

Agenda Item 6 – Overview of Neighborhood Services’ Community Engagement Efforts

The City of Tempe’s Neighborhood Services Office was created by City Council resolution in 1987 to preserve and build community in neighborhoods. This work is accomplished by fostering engagement with the city and providing resources and support to encourage communication and connection between residents.

Shauna Warner quickly shared the Neighborhood Services Engaging the Community powerpoint included in the meeting packet. She highlighted the robust connections and communications strategies with voluntary neighborhood associations and homeowners associations that have been established over the years. Currently, there are 82 Neighborhood Associations, 135 Homeowners’ Associations and seven Affiliate Associations registered with Neighborhood Services. The Office supports the formation and administration of voluntary neighborhood associations, partners with a law firm to offer HOA educational classes, maintains a database of association contacts and oversees the Maryanne Corder Neighborhood Grant program.

Neighborhood Services staff continually strive to build and maintain strong community connections and to ensure that residents feel invited and welcomed to participate in decision-making processes. Engagement tools include public meetings, focus groups, events, online surveys, Tempe Forum, social media, pop up gatherings, radio, postcards, water bill newsletters and emails. The Tempe Involving the Public (TIP) Manual, adopted by City Council in 2007 provides consistency, establishes expectations and outlines how best to maximize the public’s engagement in public and private planning activities. The Neighborhood Advisory Commission at that time, working with staff and consultants helped to inform, draft and spearhead this document believing that community members should provide input early on in decisions that directly impact them. Neighborhood Services staff work with all city departments to help plan, manage and follow up on their public outreach initiatives and processes using the TIP manual as a resource and guide.

Staff are always open to learning about new or creative outreach efforts. Commission members were encouraged to share any they encounter that are particularly impactful or memorable.

ZONING CODE RESEARCH OF HOME OCCUPATIONS FOR BEAUTY SALON AND BARBER SHOP AS A HOME BUSINESS

Regulations By Municipality for Beauty Salon and Barber Shop as Home-Business or Home-Occupation									
	Home Occ. by Right or by Use Permit	Parking Requirements	Limit on Chairs per House	Limit on Scope of Work	Other Special Provisions	Salon Definition	Beauty Parlor Definition	Barber Shop Definition	Other Notes
Buckeye	Allowed by Right	No more than 2 off street spaces	1	none	20% comb floor area, or 500 sqf (whichever is less), no signage, no wholesale of retail goods	None	None	None	Limit 1 off site residing employee
Chandler	Not Allowed	N/A	N/A	N/A	N/A	None	None	None	Traveling barber is ok
Flagstaff	Must have home occupation permit	None	None	None	No signs, 20% or less floor space for use	None	None	None	Limit to 1 non-resident employee
Gilbert	Not Allowed	N/A	N/A	N/A	N/A	None	None	None	Working on Text Amendment
Glendale	Class 1 by Right, Class 2 by Use Permit	Must be on site	Class 1 - 1 chair Class 2 - > 1 chair	Must be between 7:00am and 10:00pm	No signage	None - personal services	None - personal service	None - personal services	Becomes Class 2 if not entirely conducted inside residence, has employees who don't reside there, or more than one cust. delivery / day
Goodyear	Not Allowed	N/A	N/A	N/A	N/A	None	None	None	N/A
Mesa	By Right or Use Permit depending on intensity	On site/off street parking ,limited to day time, non-resident	None	None	One, non-illuminated sign no more than 3 sqft.	None	None	None	Use permit required if non-resident employee, indoor storage
Peoria	Not Allowed	N/A	N/A	N/A	N/A	None	None	None	N/A
Phoenix	Not Allowed	N/A	N/A	N/A	N/A	None	None	None	N/A
Queen Creek	By Right subject to requirements of code.	On site/off street parking ,limited to day time		no more than 5 customers per day, no more than 1 at a time on site.	No more than 25% of floor space for use. No illuminated signs. Restrictions on employees and storage of products on site.	None	None	None	N/A
Scottsdale	Not Allowed	N/A	N/A	N/A	Cannot create pedestrian or vehicular traffic beyond normal for the zoning/land use	None	None	None	N/A
Tucson	Not Allowed	N/A	N/A	N/A	N/A	None	None	None	N/A

ARTICLE 3: USE REGULATIONS

SECTION 3.3 ACCESSORY USES AND STRUCTURES

SUBSECTION 3.3.4 ADDITIONAL STANDARDS FOR SPECIFIC ACCESSORY USES AND STRUCTURES

A home occupation may be permitted as an accessory use to a principal dwelling unit in any of the residential or mixed-use districts, provided that:

1. Size/Area

The business or service is located within the dwelling or an associated permitted accessory building, and does not exceed 20 percent of the combined floor area of the structures or 500 square feet, whichever is less.

2. Employees and Residency

The principal person or persons providing the business or service shall reside in the dwelling on the premises. The home occupation shall employ no more than one person who does not reside on the premises.

3. Neighborhood Compatibility

- a. All vehicles used in connection with the home occupation shall be of a size, and located on the premises in such a manner, so as to not disrupt the quiet nature and visual quality of the neighborhood, and there shall be no more than two vehicles used in connection with any home occupation.
- b. No more than two off-street parking spaces may be provided for the home occupation, in addition to those off-street parking spaces required for the dwelling itself pursuant to Section 5.6, *Off-Street Parking*, of this Development Code.
- c. No additional parking areas other than driveways shall be located in the required front setback.
- d. There shall be no advertising devices on the property, or other signs of the home occupation, that are visible from outside the dwelling or accessory building.
- e. The property shall contain no outdoor display or storage of goods or services that are associated with the home occupation.
- f. Wholesale or retail sales of goods shall not occur on the premises.
- g. The home occupation shall not create traffic or parking congestion, noise, vibration, odor, glare, fumes, or electrical or communications interference that can be detected by the normal senses off the premises, including visual or audible interference with radio or television reception. No heavy machinery shall be operated in connection with the home occupation. No home occupation shall use chemicals, materials, or equipment that are not normally found in a residential area.

4. Prohibited Home Occupations

The following uses, because of their impacts on the surrounding residential area, shall not be permitted as home occupations: auto repair or motorized implement repair; dance, music or other types of instruction (if more than four students are being instructed at one time); dental offices; medical offices; the painting of vehicles, trailers or boats; private

FLAGSTAFF ZONING CODE

10-40.60.180 Home Occupations

- A. The use of a dwelling for a home occupation shall be compatible with the residential character of the dwelling and the neighborhood.
- B. The home occupation shall be conducted only inside the dwelling or inside an accessory building or garage.
- C. The business shall only be conducted by a resident or residents of the dwelling with no more than one outside employee coming to the residence.
- D. No more than 20 percent of the total floor area of the dwelling shall be used for the home occupation.
- E. No stock, goods, and/or materials shall be displayed or sold at the location of the home occupation, except as permitted in subsection (F) of this section; provided, that this provision shall not be interpreted to prevent pick up of orders made either through the telephone or at sales meetings outside of the dwelling in which the home occupation is located.
- F. The sale of fresh produce and cottage foods (i.e., baked, pickled, canned or similarly produced foods grown in a vegetable garden at the location of the home occupation) is permitted subject to compliance with all State and local regulations.
- G. No outdoor display or storage of materials, goods, supplies, or equipment shall be permitted in connection with a home occupation.
- H. Signs shall be used in compliance with Division [10-50.100](#), Sign Standards.
- I. No more than two home occupations shall be carried on in a single residence; provided, that together they do not exceed the 20 percent area limitation in subsection (D) of this section, or violate any other conditions specified in this section.
- J. The home occupation shall not be conducted in such a manner or advertised in such a way as to generate more pedestrian or vehicular traffic than typical for the zone within which it is located based on the standards in the current edition of the *Trip Generation Manual* published by the Institute of Transportation Engineers.
- K. A home occupation shall not utilize flammable liquids or hazardous materials in quantities not customary to a residential use, in compliance with the adopted City Fire Code and Building Code.
- L. The home occupation shall not create any radio, television, computer, or power line interference, or noise audible beyond the boundaries of the site.
- M. No more than one motor vehicle, or vehicle-trailer combination, not exceeding a gross vehicle weight rating (GVWR) of 14,000 pounds shall be stored at a residence and/or used in connection with a home occupation.
- N. A home occupation requires the issuance of a Home Occupation Permit in compliance with Section [10-20.40.070](#), Home Occupation Permit, prior to commencement of the home occupation.
- O. Any change in use of a home occupation, or if the applicant/permit holder of a home occupation no longer resides in the home where the home occupation permit was originally issued, will result in the automatic termination of the home occupation. A new owner of a home occupation or a change in use of a previously approved home occupation will require the issuance of a new home occupation permit and a new privilege license from the City prior to commencement of the home occupation.
- P. No home occupation permit is needed for a business located within a residence in any commercial zone.

(Ord. 2016-07, Amended, 2/16/2016 (Res. 2016-02))

GLENDALE ZONING CODE

7.304 - Home Occupations.

- A. Home Occupations (Class I) are accessory uses in all residential districts. An occupation or profession is considered a home occupation when it:
1. Is conducted entirely from within the principal residence with no activity or storage in the garage or other accessory buildings, or in other outdoor areas;
 2. Is conducted only by a resident or residents of the dwelling unit (no employees other than the family), no outside employees visit the site;
 3. Does not have any customer traffic or more than one (1) commercial delivery vehicle a day coming to the residence related to the home occupation;
 4. Produces no offensive noise, vibration, smoke, dust, odors, heat, or glare beyond the boundaries of the property;
 5. Is clearly incidental and secondary to the use of the dwelling unit for residential purposes with storage for the use limited to a maximum of five (5) percent of the total floor area;
 6. Has no signs or other exterior evidence of its existence;
 7. A valid City sales tax and business license is maintained for business purposes;
 8. Activity shall be limited to the hours between 7:00 a.m. and 10:00 p.m.; and
 9. Any parking incidental to the home occupation shall be provided on site.
- B. Home Occupations (Class II) are subject to conditional use permit in all residential districts. It is required when any of the following standards can not be met by the proposed home occupation:
1. Is conducted entirely from within the principal residence with no activity or storage in the garage or other accessory buildings, or in other outdoor areas;
 2. Is conducted only by a resident or residents of the dwelling unit (no employees other than the family), no outside employees visit the site;
 3. Does not have any customer traffic or more than one (1) commercial delivery vehicle a day coming to the residence related to the home occupation.
- C. Except as may be provided by conditional use permit approval in conjunction with a Home Occupation (Class II), no accessory use shall include outdoor display or storage of any of the following listed items, when such items are visible or emit odor, dust, gas, noise, vibration, smoke, heat, or glare, beyond any boundary of the lot on which such items are displayed or stored:
1. Any building or landscaping materials.
 2. Any machinery, construction trailers, parts, or appliances.
 3. Vehicles which are unlicensed, inoperable, or registered to or owned by persons not residing on, or the guests of persons residing on the premises.
 4. Any other chattel used for or intended for a commercial purpose or ultimate use other than to subject premises.

(Ord. No. 1772,6-23-93)

MESA ZONING CODE

11-31-33: - HOME OCCUPATIONS

Home Occupations, as defined in Chapter 87, are permitted as specified in Article 2, limited by the following:

- A. In all residence, commercial, mixed-use and downtown districts, the following standards apply:
 1. There is no nonresident employee working at the Home Occupations site,
 2. There is no commercial storage on the Home Occupations site, interior or exterior,
 3. The Home Occupations site is not used for day-long or other long-term parking of vehicles used by non-resident employees, or clients for personal or business use,
 4. Any short-term employee or client parking that is needed occurs on the Home Occupations property or on the street immediately in front of the residence; and
 5. There is no exterior indication of a nonresidential use, outside of a one, non-illuminated, static message sign of no more than 3 square feet in area attached to the building or placed in a window.
- B. In the AG, RS-90 and RS-43 districts:
 1. The definition of "Home Occupations" may be expanded to include on-site fabrication of artisan or custom crafted materials for installation at a different location when conducted within an enclosed, sound attenuated building.
 2. Home Occupations that are not in conformance with items 1 through 5 in Paragraph A, above, shall require approval a Special Use Permit, pursuant to Chapter 67 and 70. Such SUPs shall be limited as follows:
 - a. No more than 2 non-resident employees;
 - b. 1 on-site, independently accessed parking space provided for each non- resident employee. The parking space(s) shall be located on a dust-proof surface, and shall be in addition to required minimum parking for the residence;
 - c. Any commercial storage occurs entirely within an enclosed structure; and
 - d. The primary residence, and all accessory buildings and structures, shall comply with the requirements of Section 11-5-3 and 11-5-7(B)